

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TONY KIM WHITE,

Plaintiff,

V.

KIMBERLY JOHANSSON, BERNIE  
WARNER, THE WASHINGTON  
STATE DEPARTMENT OF  
CORRECTIONS.

## Defendants.

CASE NO. C14-5226 RJB-KLS

ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
DENYING PLAINTIFF'S MOTION  
FOR TEMPORARY RESTRAINING  
ORDER

This matter comes before the court on the Report and Recommendation of the magistrate judge. Dkt. 33. The court has considered the relevant record and the remainder of the file herein.

On December 1, 2014, U.S. Magistrate Judge Karen L. Strombom issued a Report and Recommendation, recommending that plaintiff's motion for a temporary restraining order (Dkt. 27) be denied on the basis that plaintiff seeks injunctive relief against a non-party and that it is

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RESTRAINING ORDER- 1

1 not based upon a claim in the underlying suit. Dkt. 33. The court concurs with the analysis and  
2 conclusions of the magistrate judge.

3 The Report and Recommendation (Dkt. 33) is **ADOPTED**. Plaintiff's motion for a  
4 temporary restraining order (Dkt. 27) is **DENIED**.

5 The Clerk is directed to send uncertified copies of this Order to all counsel of record and  
6 to any party appearing *pro se* at said party's last known address.

7 Dated this 23<sup>rd</sup> day of December, 2014.

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ROBERT J. BRYAN  
United States District Judge